# No. 101

# **MICHIGAN SENATE**

# **DAILY CALENDAR**

TUESDAY, NOVEMBER 9, 2004 10:00 a.m.

MESSAGES FROM THE GOVERNOR			MESSAGES FROM THE GOVERNOR				
SB	195 Sen. Toy Local government; public services; certain city managed water and sewer systems; provide for regionalization of. Creates new act. Vetoed by Governor, Friday, March 21, 2003. For text of veto message, see Senate Journal No. 30 of 2003, page 341. Veto pending.	SB	540 Sen. Johnson Appropriations; supplemental; supplemental appropriations; provide for. Creates new act & repeals sec. 308 of 2003 PA 161. Approved by Governor, with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1614. Vetoed line items pending.				
SB	School aid; penalties; requirement of 180 days of pupil instruction and penalty for holding less than that number; eliminate and replace with minimum hours of instruction, and require certain procedures to change to 4-day school week.  Amends sec. 101 of 1979 PA 94 (MCL 388.1701).  Vetoed by Governor, Monday, June 30, 2003.  For text of veto message, see Senate Journal No. 65 of 2003, page 1110.  Veto pending.	SB	283 Sen. Johnson Appropriations; other; family independence agency; provide for fiscal year 2003-2004. Creates new act & repeals sec. 413 of 2002 PA 529. Approved by Governor with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1615. Vetoed line items pending.				
SB	293 Sen. Bishop Law enforcement; other; public safety commissions; allow use of state radio towers by local units of government. Amends sec. 3 of 1929 PA 152 (MCL 28.283). Vetoed by Governor, Friday, July 11, 2003. For text of veto message, see Senate Journal No. 68 of 2003, page 1222. Veto pending.	SB	464 Sen. Allen Transportation; funds; Mackinac bridge authority; amend to provide toll rate cap. Amends sec. 2 of 1952 PA 214 (MCL 254.312). Vetoed by Governor, Monday, August 25, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1616. Veto pending.				
SB	265 Sen. Johnson Appropriations; zero budget; department of transportation; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 71 of 2003, page 1587. Vetoed line items pending.	SB	466 Sen. Barcia Transportation; motor fuel tax; advancements to Mackinac bridge authority; amend. Amends sec. 163 of 2000 PA 403 (MCL 207.1163). Vetoed by Governor, Monday, August 25, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1616. Veto pending.				
SB	288 Sen. Johnson Appropriations; zero budget; department of agriculture; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Thursday, August 7, 2003. For text of veto message, see Senate Journal No. 71 of 2003, page 1588.	SB	395 Sen. McManus Health; abortion; definition of legal birth; clarify. Creates new act. Vetoed by Governor, Friday, October 10, 2003. For text of veto message, see Senate Journal No. 84 of 2003, page 1835.				

Veto pending.

Vetoed line items pending.

# MESSAGES FROM THE GOVERNOR — 11 ——— SB 474 Sen. Garcia Financial institutions; other; regulation and licensing of deferred presentment service providers and transactions; provide for. Creates new act. Vetoed by Governor, Friday, January 9. For text of veto message, see Senate Journal No. 1, page 4. Veto pending. \_\_\_\_ 12 \_\_\_\_\_ SB 840 Sen. Stamas Economic development; other; small business czar; create. Creates new act. Vetoed by Governor, Tuesday, December 23, 2003. For text of veto message, see Senate Journal No. 107 of 2003, page 2377. Veto pending. <del>\_\_\_\_ 13 \_\_\_\_\_</del> SB **785** Sen. Patterson Vehicles; license plates; procedures to establish and issue fund-raising plates; revise. Amends secs. 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l & 811n of 1949 PA 300 (MCL 257.217d et seq.); adds secs. 811m, 811o & 811p & repeals secs. 217m, 217n & 811c of 1949 PA 300 (MCL 257.217m et seq.) & repeals enacting section 1 of 2000 PA 77. Vetoed by Governor, Friday, March 5. For text of veto message, see Senate Journal No. 24, page 335. Veto pending. **788** Sen. Hardiman SB Courts; judges; number of judgeships in the seventeenth judicial circuit; increase. Amends sec. 518 of 1961 PA 236 (MCL 600.518). Vetoed by Governor, Wednesday, April 7. For text of veto message, see Senate Journal No. 36, page 633. Veto pending. \_\_\_\_ 15 \_\_\_\_\_\_ SB 829 Sen. Sanborn Courts; circuit court; sixteenth judicial circuit; allow additional judgeship. Amends sec. 517 of 1961 PA 236 (MCL 600.517). Vetoed by Governor, Wednesday, April 7. For text of veto message, see Senate Journal No. 36, page 633. Veto pending. \_\_\_\_ 16 \_\_\_\_\_ 841 Sen. Kuipers SB Economic development; other; manufacturing czar; create. Creates new act. Vetoed by Governor, Monday, April 12.

For text of veto message, see Senate Journal No. 36,

page 634.

Veto pending.

# PAGE 2 MESSAGES FROM THE GOVERNOR \_\_\_\_ 17 \_\_\_\_\_ **SB 1093** Sen. Brown Single business tax; credit; percentage of compensation cost of credited jobs through 2009; provide for credit. Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 37f. Vetoed by Governor, Tuesday, May 18. For text of veto message, see Senate Journal No. 49, page 887. Veto pending. \_\_\_\_\_ 18 \_\_\_\_\_\_ SB 863 Sen. Hardiman Income tax; exemptions; start-up business; exempt from tax for tax years in which the business does not make a profit. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 51f. Vetoed by Governor, Friday, May 28. For text of veto message, see Senate Journal No. 54, page 973. Veto pending. \_\_\_\_ 19 \_\_\_\_\_ SB 865 Sen. Bernero Property tax; other; start-up businesses; exempt from tax under 1953 PA 189 for 5 years. Amends 1953 PA 189 (MCL 211.181 - 211.182) by adding sec. 1a. Vetoed by Governor, Friday, May 28. For text of veto message, see Senate Journal No. 54, page 973. Veto pending. SB 867 Sen. Van Woerkom Taxation; specific property; start-up businesses in com-Amends sec. 51105 of 1994 PA 451 (MCL 324.51105). Vetoed by Governor, Friday, May 28. For text of veto message, see Senate Journal No. 54, page 973. Veto pending. \_\_\_\_ 21 \_\_\_\_\_ **SB** 869 Sen. Birkholz Economic development; plant rehabilitation; start-up businesses; exempt for certain period of time.

mercial forests; exempt for a certain period of time.

Amends sec. 11 of 1974 PA 198 (MCL 207.561).

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

<del>\_\_\_\_ 22 \_\_\_\_\_\_</del>

Veto pending.

SB 872 Sen. Patterson

Economic development; other; start-up businesses in a technology park development; exempt for a certain period

Amends sec. 12 of 1984 PA 385 (MCL 207.712).

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

Veto pending.

## MESSAGES FROM THE GOVERNOR

\_\_\_\_ 23 \_\_\_\_\_

#### SB 875 Sen. Gilbert

Taxation; utility users; start-up businesses; exempt from tax for tax years in which the business does not make a profit.

Amends sec. 5, ch. 1 of 1990 PA 100 (MCL 141.1155).

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

Veto pending.

\_\_\_\_ 24 \_\_\_\_\_

#### SB 647 Sen. Patterson

Labor; health and safety; definition of "wilful" MIOSHA violation; provide for and clarify procedure for obtaining interview statements during an inspection.

Amends secs. 6 & 29 of 1974 PA 154 (MCL 408.1006 & 408.1029) & adds sec. 32.

Vetoed by Governor, Tuesday, June 8.

For text of veto message, see Senate Journal No. 58, page 1059.

Veto pending.

<del>\_\_\_\_</del> 25 \_\_\_\_\_

#### SB 320 Sen. Stamas

Labor; youth employment; youth employment standards; revise maximum number of hours, ending hour, and other general amendments.

Amends sec. 11 of 1978 PA 90 (MCL 409.111).

Vetoed by Governor, Monday, June 28.

For text of veto message, see Senate Journal No. 66, page 1270.

Veto pending.

### SB 267 Sen. Johnson

Appropriations; zero budget; supplemental appropriation; provide for fiscal years 2003-2004 and 2004-2005.

Creates appropriation act & repeals sec. 1101 of 2003 PA 193 & sec. 313 of 2003 PA 155.

Approved by Governor with line items vetoed, Tuesday, August 17, 2004.

For text of veto message, see Senate Journal No. 86, page 1554.

Vetoed line items pending.

## SB 1063 Sen. Johnson

Appropriations; zero budget; department of community health; provide for fiscal year 2004-2005.

Creates appropriation act.

Approved by Governor with line items vetoed, Wednesday, September 29, 2004.

For text of veto message, see Senate Journal No. 96, page 2074.

Vetoed line items pending.

#### MESSAGES FROM THE GOVERNOR

#### SB 1066 Sen. Johnson

Appropriations; zero budget; department of environmental quality; provide for fiscal year 2004-2005.

Creates appropriation act.

Approved by Governor with line items vetoed, Wednesday, September 29, 2004.

For text of veto message, see Senate Journal No. 96, page 2074.

Vetoed line items pending.

\_\_\_\_\_ 29 \_\_\_\_\_

# SB 145 Sen. Bishop

Highways; construction and repair; closing a road that services another community; allow for hearing.

Amends secs. 1 & 5 of 1969 PA 296 (MCL 247.851 & 247.855) & adds sec. 3a.

Vetoed by Governor, Friday, October 15.

For text of veto message, see Senate Journal No. 99, page 2120.

Veto pending.

\_\_\_\_ 30 \_\_\_\_

### **SB 1279** Sen. Allen

Income tax; checkoff; Michigan state park endowment fund; provide for check-off option.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 437.

Vetoed by Governor, Friday, October 15.

For text of veto message, see Senate Journal No. 99, page 2121.

Veto pending.

# MESSAGES FROM THE HOUSE

— 31 ———

### SB 757 Sen. Clarke

Civil procedure; civil actions; penalties for landlords who repeatedly rent housing units without abating known lead hazards; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5475a.

I.E. House, September 8, 2004.

Returned from House with House substitute (H-2), Thursday, September 9; laid over under the rules.

Committee recommended I.E.

— 32 ———

### HB 4206 Rep. Drolet

Local government; public services; certain city managed water and sewer systems; provide for regionalization of.

Creates new act.

Returned from House with House substitute (H-4) to Senate substitute (S-3), Thursday, September 23; laid over under the rules.

#### MESSAGES FROM THE HOUSE

\_\_\_\_ 33 \_\_\_\_\_

#### SB 220 Sen. Garcia

Trade; fair trade practices; credit card receipt; prohibit expiration date and full account number from being printed on receipt.

Amends sec. 3 of 1976 PA 331 (MCL 445.903).

I.E. House, September 29, 2004.

Returned from House with House substitute (H-3), Thursday, September 30; laid over under the rules.

Committee recommended I.E.

\_\_\_\_ 34 -

### SB 657 Sen. Brown

Trade; consumer goods and services; requirement for disclosure of social security number to purchase or obtain certain goods or services of a retailer; prohibit.

Amends sec. 3 of 1976 PA 331 (MCL 445.903).

I.E. House, September 29, 2004.

Returned from House with House substitute (H-4), Thursday, September 30; laid over under the rules.

Committee recommended I.E.

35

# SB 792 Sen. Bishop

Consumer protection; privacy; identity theft protection act; create.

Creates new act & repeals sec. 285 of 1931 PA 328 (MCL 750.285).

I.E. House, September 29, 2004.

Returned from House with House substitute (H-4), Thursday, September 30; laid over under the rules.

Committee recommended I.E.

—— 36 —

### SB 793 Sen. Van Woerkom

Criminal procedure; jurisdiction; crime of obtaining personal identity information of another with intent to unlawfully use the information; clarify.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 10c to ch. II.

I.E. House, September 29, 2004.

Returned from House with House substitute (H-3), Thursday, September 30; laid over under the rules.

Committee recommended I.E.

# SB 795 Sen. Cassis

Civil rights; privacy; social security number privacy act; establish and provide penalties and remedies.

Creates new act.

I.E. House, September 29, 2004.

Returned from House with House substitute (H-5), Thursday, September 30; laid over under the rules.

Committee recommended I.E.

— 38 —

# SB 797 Sen. George

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of identity theft; establish.

Amends secs. 14h & 16o, ch. XVII of 1927 PA 175 (MCL 777.14h & 777.16o).

I.E. House, September 29, 2004.

Returned from House with House substitute (H-3), Thursday, September 30; laid over under the rules. Committee recommended I.E.

#### MESSAGES FROM THE HOUSE

#### SB 798 Sen. Sanborn

Consumer credit; other; denial of credit to identity theft victims; prohibit.

Amends sec. 3 of 1976 PA 331 (MCL 445.903).

I.E. House, September 29, 2004.

Returned from House with House substitute (H-1), Thursday, September 30; laid over under the rules.

Committee recommended I.E.

# SB 803 Sen. Cropsey

Criminal procedure; statute of limitations; tolling of statute of limitations in certain cases of identity theft; provide for.

Amends sec. 24, ch. VII of 1927 PA 175 (MCL 767.24).

I.E. House, September 29, 2004.

Returned from House with House substitute (H-2), Thursday, September 30; laid over under the rules.

Committee recommended I.E.

## THIRD READING OF BILLS

<del>------</del> 41 <del>------</del>

#### HB 4458 Rep. Rocca

Liquor; other; discount on liquor to licensees; increase. Amends sec. 122 of 1998 PA 58 (MCL 436.1233).

I.E. House, October 29, 2003.

House substitute (H-2).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

# SB 1081 Sen. Johnson

Highways; other; ridesharing programs; revise to contract with private organizations.

Amends sec. 2 of 1909 PA 283 (MCL 225.2).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Passed, Wednesday, October 6; motion to reconsider vote postponed.

43

# SB 517 Sen. Hammerstrom

Retirement; municipal employees; amendments to expand definitions of eligible entities; provide for.

Amends secs. 2a, 2b & 36 of 1984 PA 427 (MCL 38.1502a et seq.) & repeals sec. 36a of 1984 PA 427 (MCL 38.1536a).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-3).

Committee recommended I.E.

#### THIRD READING OF BILLS

#### **HB** 6061 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

For Senate amendment, see Senate Journal No. 79, page 1495.

## **HB** 5670 Rep. Pappageorge

Administrative procedure; joint committee; procedure for objecting to rules; modify.

Amends secs. 24, 41, 42, 45, 45a, 51 & 52 of 1969 PA 306 (MCL 24.224 et seq.).

I.E. House, March 24, 2004.

<del>\_\_\_\_\_</del> 46 \_\_\_\_

### **4703** Rep. Whitmer

Health; code; campgrounds and public swimming pools permit and licensing requirements; eliminate.

Amends secs. 12507, 12511, 12514, 12515, 12516, 12522, 12523, 12524, 12525, 12530, 12531 & 12533 of 1978 PA 368 (MCL 333.12507 et seq.) & repeals secs. 12505, 12506, 12508, 12509, 12512, 12513, 12526, 12527, 12527a, 12528, 12529, 12532 & 12534 of 1978 PA 368 (MCL 333.12505 et seq.).

I.E. House, September 29, 2004.

House substitute (H-5).

Reported by Committee on Appropriations.

Committee recommended I.E.

—— 47 —

### SB 735 Sen. Allen

Highways; signs; tourism directional signs; allow posting of with certain local government approval.

Amends secs. 1 & 3 of 1996 PA 299 (MCL 247.401 & 247.403).

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

# SB 925 Sen. McManus

Natural resources; forests; prescribed burning; revise regulation of and provide immunity from liability for.

Amends secs. 51501, 51506, 51509, 51510 & 51513 of 1994 PA 451 (MCL 324.51501 et seq.) & adds secs. 51503b & 51503d.

Reported by Committee on Natural Resources and **Environmental Affairs.** 

Senate substitute (S-2).

Committee recommended I.E.

— 49 ——

# **HB 5947** Rep. Palmer

Crimes; bribery; Michigan health care false claims act; exempt certain rebates from drug companies to insured consumers.

Amends sec. 4 of 1984 PA 323 (MCL 752.1004).

I.E. House, June 30, 2004.

House substitute (H-3).

Reported by Committee on Health Policy.

Committee recommended I.E.

#### THIRD READING OF BILLS

<del>\_\_\_ 50 \_\_\_\_\_</del>

# HB 5970 Rep. Newell

Insurance; health; health care false claims act; exempt certain rebates from drug companies to consumers.

Amends sec. 4 of 1984 PA 323 (MCL 752.1004).

I.E. House, June 30, 2004.

House substitute (H-2).

Reported by Committee on Health Policy.

Committee recommended I.E.

### **GENERAL ORDERS**

\_\_\_\_ 51 \_\_\_\_\_

#### HB **4804** Rep. Shulman

State; funds; budget stabilization fund expenditures; modify.

Amends secs. 353c, 353e & 358 of 1984 PA 431 (MCL 18.1353c et seq.).

I.E. House, June 19, 2003.

For House amendment, see House Journal No. 54 of 2003, page 924.

Reported by Committee on Appropriations.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_\_ 52 <u>\_\_\_</u>

# SB 479 Sen. Basham

Transportation; school vehicles; local school district authority to determine location and number of school bus stops within a manufactured housing park; allow.

Amends sec. 9 of 1990 PA 187 (MCL 257.1809).

Reported by Committee on Education.

Committee recommended I.E.

— 53 —

## **HJR G** Rep. Garfield

State; employees and officers; hiring for civil service position; provide preferential treatment to veterans.

Amends sec. 5, art. XI of the state constitution.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs. \_\_\_ 54 \_\_\_\_

# SB 856 Sen. Cropsey

Environmental protection; recycling; comprehensive study of state's litter problem and marketing program to reduce littering; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 8911, 8913 & 8915.

Reported by Committee on Natural Resources and **Environmental Affairs.** 

Senate substitute (S-2).

Committee recommended I.E.

— 55 ——

# SJR H Sen. Kuipers

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

Reported by Committee on Education.

Senate substitute (S-1).

# **GENERAL ORDERS** — 56 —— SB 1106 Sen. Johnson Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2004-2005. Creates appropriation act. Reported by Committee on Appropriations. Committee recommended I.E. SB 1185 Sen. Cassis Property tax; payment and collection; penalties and interest on personal property; modify. Amends sec. 154 of 1893 PA 206 (MCL 211.154). Reported by Committee on Finance. Senate substitute (S-1). Committee recommended I.E. SB 1193 Sen. Johnson Appropriations; zero budget; multisection school aid; provide for fiscal year 2004-2005. Amends secs. 11 & 17b of 1979 PA 94 (MCL 388.1611 & 388.1617b). Reported by Committee on Appropriations. Committee recommended I.E. — 59 — **HB 5643** Rep. LaJoy Single business tax; other; consolidated filing of single business tax return; modify. Amends sec. 77 of 1975 PA 228 (MCL 208.77). I.E. House, April 1, 2004. House substitute (H-1). Reported by Committee on Economic Development, Small Business and Regulatory Reform. Senate substitute (S-1). Committee recommended I.E. — 60 —— 4234 Rep. Steil HB Property tax; personal property; personal property with a taxable value of less than \$10,000.00; exempt. Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding I.E. House, May 13, 2004. House substitute (H-4). For House amendment, see House Journal No. 42, page 952. Reported by Committee on Finance. Committee recommended I.E. <del>\_\_\_\_\_</del> 61 <del>\_\_\_\_</del> SB 1168 Sen. Johnson Transportation; funds; bond issuing process; revise. Amends sec. 18b of 1951 PA 51 (MCL 247.668b). Reported by Committee on Appropriations. Committee recommended I.E. — 62 — SB 1163 Sen. Johnson Transportation; funds; funding formula; revise. Amends sec. 10 of 1951 PA 51 (MCL 247.660).

Reported by Committee on Appropriations.

Committee recommended I.E.

# GENERAL ORDERS

— 63 ———

SB 1147 Sen. Johnson

Transportation; other; approval requirement for 5-year plan; provide for in the state transportation commission act.

Amends sec. 6a of 1964 PA 286 (MCL 247.806a) & adds sec. 6b.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

— 64 —

SB 1324 Sen. Kuipers

Taxation; administration; collection of certain state taxes from certain individuals doing business with certain Indian tribes; modify.

Amends sec. 30c of 1941 PA 122 (MCL 205.30c).

Reported by Committee on Finance.

Committee recommended I.E.

HB 6029 Rep. O'Neil

Occupations; pawnbrokers; use of pledged item; allow and provide for usage fee.

Amends secs. 9 & 11 of 1917 PA 273 (MCL 446.209 & 446.211).

I.E. House, June 30, 2004.

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_</del> 66 <del>\_\_\_\_\_\_</del>

SB 1255 Sen. McManus

Sales tax; collections; definition of charitable auction prices; clarify.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

**HB 5055** Rep. Ward

Environmental protection; water pollution; soil erosion and sedimentation control; restrict fees under certain circumstances.

Amends secs. 9105, 9106 & 9112 of 1994 PA 451 (MCL 324.9105 et seq.).

I.E. House, July 14, 2004.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

— 68 —

**HB** 5030 Rep. Walker

Land use; other; agricultural security areas; provide for. Amends pt. heading of pt. 361 of 1994 PA 451 (MCL 324.101 - 324.90106) & adds pt. 363.

I.E. House, June 30, 2004.

House substitute (H-2).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-2).

#### **GENERAL ORDERS**

— 69 ——

#### **HB 6127** Rep. Nofs

Economic development; tax increment financing; historical neighborhood tax increment finance authority; create. Creates new act.

I.E. House, September 29, 2004.

Reported by Committee on Commerce and Labor.

Committee recommended I.E.

— 70 —

# **HB** 5529 Rep. Murphy

Property; conveyances; certain state owned property in Ingham county; provide for conveyance.

Creates land transfer act.

I.E. House, June 17, 2004.

Reported by Committee on Appropriations.

Committee recommended I.E.

—— 71 —

## HB 4231 Rep. Koetje

Vehicles; abandoned; procedure for court officer involvement regarding the sale of abandoned vehicles; provide for. Amends secs. 252a, 252b, 252d & 252g of 1949 PA 300 (MCL 257.252a et seq.).

I.E. House, August 4, 2004.

House substitute (H-3).

Reported by Committee on Transportation.

Committee recommended I.E.

— 72 —

# HB 4358 Rep. DeRossett

Vehicles; trucks; length limit; increase to 65 feet. Amends sec. 719 of 1949 PA 300 (MCL 257.719).

I.E. House, September 29, 2004.

House substitute (H-2).

Reported by Committee on Transportation.

Committee recommended I.E.

73

## HB 6169 Rep. Van Regenmorter

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of identity theft and obtaining, possessing, or transferring personal identifying information of another with intent to commit identity theft; establish.

Amends secs. 14h & 16o, ch. XVII of 1927 PA 175 (MCL 777.14h & 777.16o).

I.E. House, September 29, 2004.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

#### **HB** 6172 Rep. Milosch

Criminal procedure; statute of limitations; tolling of statute of limitations in certain cases of or related to identity theft; provide for.

Amends sec. 24, ch. VII of 1927 PA 175 (MCL 767.24).

I.E. House, September 29, 2004.

For House amendment, see House Journal No. 83, page 2308.

Reported by Committee on Judiciary.

Committee recommended I.E.

#### GENERAL ORDERS

— 75 ———

## **HB** 5364 Rep. Daniels

Vehicles; abandoned; failure to pay fines, charges, and costs on an abandoned vehicle; prohibit reinstatement of driving privileges.

Amends secs. 252g & 907 of 1949 PA 300 (MCL 257.252g & 257.907); adds secs. 252h, 252i, 252j, 252k, 252l, 252m, 252n, 252o, 252p, 252q & 252r & repeals secs. 252a, 252b, 252c, 252d, 252e & 252f of 1949 PA 300 (MCL 257.252a et seq.).

I.E. House, June 24, 2004.

House substitute (H-5).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

# HB 5457 Rep. Palmer

Education; intermediate school districts; random financial audits of intermediate school districts; require department of treasury to conduct.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 622a.

I.E. House, September 8, 2004.

House substitute (H-5).

Reported by Committee on Education.

Senate substitute (S-3).

Committee recommended I.E.

# **HB** 5475 Rep. Bradstreet

Education; intermediate school districts; internet accessible database regarding certain intermediate school district expenditures; require.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 620.

I.E. House, September 8, 2004.

House substitute (H-5).

Reported by Committee on Education.

Senate substitute (S-2).

Committee recommended I.E.

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# HB 5627 Rep. Ruth Johnson

Education; intermediate school districts; certain information to be included in annual audit; require.

Amends secs. 7 & 18 of 1979 PA 94 (MCL 388.1607 & 388.1618).

I.E. House, September 8, 2004.

House substitute (H-3).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

<del>\_\_\_\_\_ 79 \_\_\_\_\_</del>

#### HB 5839 Rep. Ruth Johnson

Education; intermediate school districts; uses for special education and vocational education bond proceeds and millages; clarify and limit duration of intermediate school district millages.

Amends secs. 687 & 1731 of 1976 PA 451 (MCL 380.687 & 380.1731) & adds sec. 625b.

I.E. House, September 8, 2004.

House substitute (H-5).

Reported by Committee on Education.

Senate substitute (S-2).

Committee recommended I.E.

## HB 5850 Rep. Ruth Johnson

Education; school districts; penalties for misuse of school district or intermediate school district funds; provide for.

Amends sec. 1804 of 1976 PA 451 (MCL 380.1804) & adds secs. 1814, 1815 & 1816.

I.E. House, September 8, 2004.

House substitute (H-2).

Reported by Committee on Education.

Senate substitute (S-2).

## **HB 5851** Rep. Ruth Johnson

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of failing to comply with school competitive bidding process and improper use of school bond proceeds; enact.

Amends sec. 13p, ch. XVII of 1927 PA 175 (MCL 777.13p).

I.E. House, September 8, 2004.

Reported by Committee on Education.

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# **HB 5921** Rep. Ruth Johnson

Education; intermediate school districts; conflict of interest policy for intermediate school district officials and employees; require, and prohibit member of constituent district board from serving on intermediate school board.

Amends sec. 612 of 1976 PA 451 (MCL 380.612) & adds sec. 634.

I.E. House, September 8, 2004.

House substitute (H-4).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 83 \_\_\_\_

# SB 1266 Sen. Bishop

Drains; drain commissioners; lake improvement boards; provide for drain commissioner designee to lake board, local maintenance of records, and adding administrative costs to assessments.

Amends secs. 30903 & 30927 of 1994 PA 451 (MCL 324.30903 & 324.30927) & adds sec. 30929.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

#### **GENERAL ORDERS**

— 84 ———

## **HB** 4868 Rep. Jamnick

Mobile homes; owner's rights; manufactured home owners' residency act; create.

Creates new act.

I.E. House, June 17, 2004.

House substitute (H-5).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-4).

Committee recommended I.E.

---- 85 ------

# HB 5843 Rep. LaJoy

Townships; public services; police authority; allow township to enter into more than 1 under certain circumstances.

Amends sec. 6 of 1951 PA 33 (MCL 41.806).

I.E. House, May 19, 2004.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

# **HB** 6085 Rep. Newell

Corrections; employees; certain employees of the department of community health; provide for transfer to employment as state correctional officers.

Amends sec. 12 of 1982 PA 415 (MCL 791.512).

I.E. House, September 29, 2004.

For House amendment, see House Journal No. 83, page 2382.

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

87 —

# SB 1409 Sen. Patterson

State; research, development, and high technology; requirement for state documents and records to be electronically stored; provide for.

Amends title & secs. 1, 2 & 3 of 1992 PA 116 (MCL 24.401 et seq.) & adds secs. 4, 5 & 6.

Reported by Committee on Technology and Energy. Committee recommended I.E.

88

## HB 5657 Rep. Huizenga

Communications; technology; digital imaging to be archivally accepted; allow.

Amends title & secs. 1, 2 & 3 of 1992 PA 116 (MCL 24.401 et seq.) & adds secs. 4, 5 & 6.

I.E. House, May 4, 2004.

House substitute (H-1).

Reported by Committee on Technology and Energy. Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

— 89 ——

#### **SB** 1341 Sen. Birkholz

Housing; housing development authority; acquisition of property; provide technical and updated amendments and financing requirements.

Amends secs. 32, 32a, 44c & 44f of 1966 PA 346 (MCL 125.1432 et seq.).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

— 90 —

## HB 6077 Rep. Tobocman

Housing; housing development authority; references to internal revenue code; revise.

Amends secs. 11, 32b, 44 & 44a of 1966 PA 346 (MCL 125.1411 et seq.).

I.E. House, September 29, 2004.

House substitute (H-1).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

### RESOLUTIONS

91 —

## SR 175 Sen. Barcia

A resolution urging United States trade negotiators to support our nation's sugar industry.

Reported by Committee on Agriculture, Forestry and Tourism.

For text of resolution, see Senate Journal No. 86 of 2003, page 1866.

Adoption pending.

#### **SR 139** Sen. Hardiman

A resolution to express support for the creation of the Office of Faith-Based Initiative in the state of Michigan.

Reported by Committee on Families and Human Services.

For text of resolution, see Senate Journal No. 71 of 2003, page 1597.

Adoption pending.

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## SR 241 Sen. Brown

A resolution to memorialize the President and the Congress of the United States to take steps to stabilize the steel market in this country, including such measures as establishing a temporary quota on scrap steel exports in order to ensure the availability of this raw material for domestic market needs and help contain escalating prices.

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

For text of resolution, see Senate Journal No. 38, page 687.

Adoption pending.

#### RESOLUTIONS

— 94 ———

#### **SCR** 40 Sen. Basham

A concurrent resolution to express support for the aims of the Continued Dumping and Subsidy Offset Act and the efforts of the President and the Congress of the United States to oppose a recent ruling of the World Trade Organization.

Reported by Committee on Commerce and Labor.

For text of resolution, see Senate Journal No. 22, page 308.

Adoption pending.

#### **COMMITTEE REPORTS**

<del>-----</del> 95 -----

## Michigan Tax Tribunal

Ms. Sherry A. Lee of 18721 Gainsborough Road, Detroit, Michigan 48223, county of Wayne, succeeding Victoria Enyart, whose term has expired, representing certified assessors, for a term commencing November 22, 2004 and expiring June 30, 2008.

Reported by Committee on Government Operations. Recommendation to advise and consent.

Refer to Messages from the Governor pursuant to Rule 3.106.

# Michigan Tax Tribunal

Ms. Judith R. Trepeck of 7412 Sherwood Creek Court, West Bloomfield, Michigan 48322, county of Oakland, succeeding Karen B. McComb, who has resigned, representing certified public accountants, for a term commencing October 11, 2004 and expiring June 30, 2005.

Reported by Committee on Government Operations. Recommendation to advise and consent.

Refer to Messages from the Governor pursuant to Rule 3.106.

### **SB 1416** Sen. Birkholz

Land use; land division; county level approval for subdivisions; require at board meeting comprised of each department involved.

Amends secs. 111, 112, 113, 114, 115, 116, 117, 118, 120, 131, 142, 161, 163, 165, 167 & 168 of 1967 PA 288 (MCL 560.111 et seq.); adds sec. 112a & repeals secs. 162, 164, 166 & 169 of 1967 PA 288 (MCL 560.162 et seq.).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-3).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 98 ———

## SB 1458 Sen. Birkholz

Environmental protection; toxic substances or products; products containing polybrominated diphenyl ethers (PBDEs); regulate.

Amends secs. 14701, 14702, 14703 & 14705 of 1994 PA 451 (MCL 324.14701 et seq.) & part heading for pt. 147 & adds secs. 14721, 14722, 14723 & 14724.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

—— 99 ——

### SB 1453 Sen. Cropsey

Economic development; renaissance zones; renaissance zone criteria; modify.

Amends secs. 8a & 9 of 1996 PA 376 (MCL 125.2688a & 125.2689).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 100 \_\_\_\_\_

# **HB** 5637 Rep. Hoogendyk

Health facilities; other; matching grant program for the purchase of ultrasound machines by certain entities; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9141.

I.E. House, June 9, 2004.

House substitute (H-1).

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 101 \_\_\_\_\_

## SB 72 Sen. Sanborn

Higher education; other; student pregnant and parenting program; create program and fund.

Creates new act.

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 102 \_\_\_\_\_

# SB 1464 Sen. Hammerstrom

Probate; guardians and conservators; patient advocate with power concerning mental health care; create.

Amends secs. 1106, 5306, 5506, 5507, 5508, 5509, 5510, 5511, 5512 & 5520 of 1998 PA 386 (MCL 700.1106 et seq.); adds sec. 5515 & repeals sec. 5513 of 1998 PA 386 (MCL 700.5513).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 103 ———

#### SB 1465 Sen. Jacobs

Health; other; citation to patient advocate provisions in public health code; revise to reflect amendment to estates and protected individuals code.

Amends secs. 5653 & 5654 of 1978 PA 368 (MCL 333.5653 & 333.5654).

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>------</del> 104 -------

# SB 1466 Sen. Jacobs

Crimes; abuse; citation to patient advocate provisions in penal code; revise to reflect amendment to estates and protected individuals code.

Amends sec. 145n of 1931 PA 328 (MCL 750.145n).

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 105 \_\_\_\_\_

## SB 1467 Sen. Jacobs

Health; other; citation to patient advocate provisions in do-not-resuscitate procedure act; revise to reflect amendment to estates and protected individuals code.

Amends sec. 2 of 1996 PA 193 (MCL 333.1052).

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 106 \_\_\_\_\_

## SB 1468 Sen. Hammerstrom

Mental health; patients; definitions in mental health code relating to who may request formal voluntary hospitalization; revise to include patient advocate.

Amends sec. 400 of 1974 PA 258 (MCL 330.1400).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 107 \_\_\_\_\_

# SB 1469 Sen. Hammerstrom

Mental health; patients; mental health code provisions regarding notice of and objections to transfer of a patient in department hospital; revise to include patient advocate.

Amends sec. 407 of 1974 PA 258 (MCL 330.1407).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 108 ——

#### **SB** 1470 Sen. Patterson

Mental health; patients; provisions of mental health code relating to preadmission screening by community mental health services; revise to reflect ability of patient advocate to request admission.

Amends sec. 409 of 1974 PA 258 (MCL 330.1409).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SB 1471 Sen. Patterson

Mental health; patients; mental health code requirement that patient being admitted to certain hospitals receive prescreening by community mental health services; revise to reflect ability of patient advocate to request admission.

Amends sec. 410 of 1974 PA 258 (MCL 330.1410).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 110 \_\_\_\_\_

#### SB 1472 Sen. Patterson

Mental health; patients; patient advocate; allow to request formal voluntary hospitalization for mental health care.

Amends sec. 415 of 1974 PA 258 (MCL 330.1415).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>\_\_\_\_\_</del> 111 <del>\_\_\_\_\_\_</del>

# SB 683 Sen. George

Mental health; code; definition of "person requiring treatment"; expand.

Amends sec. 401 of 1974 PA 258 (MCL 330.1401).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### SB 684 Sen. Patterson

Mental health; code; order for assisted outpatient treatment; allow court to issue.

Amends sec. 469a of 1974 PA 258 (MCL 330.1469a) & adds sec. 433.

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 113 ———

## SB 685 Sen. Bernero

Mental health; code; assisted outpatient treatment program; include as alternative to hospitalization.

Amends secs. 472a, 473 & 475 of 1974 PA 258 (MCL 330.1472a et seq.).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 114 \_\_\_\_\_

#### SB 686 Sen. Jacobs

Mental health; code; definition of "assisted outpatient treatment"; include in the mental health code.

Amends secs. 100a & 161 of 1974 PA 258 (MCL 330.1100a & 330.1161).

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>\_\_\_\_\_ 115 \_\_\_\_\_\_</del>

# SB 1153 Sen. Kuipers

Education; examinations; replacing high school MEAP test; provide for in school code.

Amends secs. 1278, 1279, 1279a, 1279c, 1279d & 1525 of 1976 PA 451 (MCL 380.1278 et seq.) & adds sec. 1279g.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# SB 1154 Sen. Switalski

Education; examinations; replacing high school MEAP test; provide for in postsecondary enrollment options act.

Amends secs. 3 & 9 of 1996 PA 160 (MCL 388.513 & 388.519) & adds sec. 3a.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>\_\_\_\_\_ 117 \_\_\_\_\_\_</del>

## SB 1155 Sen. Jelinek

Education; examinations; replacing high school MEAP test; provide for in school aid act.

Amends secs. 31a, 98b & 104a of 1979 PA 94 (MCL 388.1631a et seq.) & adds sec. 104b.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

## **COMMITTEE REPORTS**

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#### SB 1156 Sen. Van Woerkom

Higher education; financial aid; Michigan merit award scholarships; replace MEAP test in determining eligibility.

Amends secs. 2, 6, 7, 8 & 9 of 1999 PA 94 (MCL 390.1452 et seq.) & adds secs. 7a & 7b.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

**—** 119 **—** 

### SB 1157 Sen. Thomas

Education; examinations; replacing high school MEAP test; provide for in career and technical preparation act.

Amends secs. 3 & 9 of 2000 PA 258 (MCL 388.1903 & 388.1909) & adds sec. 3a.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SR 216 Sen. Prusi

A resolution to urge the United States Forest Service to review its forest management plan to revise timber practices and address declining timber yields in the country's national forests.

Reported by Committee on Agriculture, Forestry and Tourism.

For text of resolution, see Senate Journal No. 16, page

Refer to Resolutions pursuant to Rule 3.106.

#### **SCHEDULED MEETINGS**

**Appropriations -** Tuesday, November 9, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Commerce and Labor -** Tuesday, November 9, 3:00 p.m., Room 100, Farnum Building (373-2413)

**Families and Human Services -** Tuesday, November 9, 3:00 p.m., Room 210, Farnum Building (373-1801)

**Finance -** Wednesday, November 10, 1:00 p.m., Room 110, Farnum Building (373-1758)

**Judiciary -** Tuesday, November 9, 1:00 p.m., Room 210, Farnum Building (373-3760)

**Local, Urban and State Affairs -** Wednesday, November 10, 1:00 p.m., Room 100, Farnum Building (373-1707)

**Natural Resources and Environmental Affairs -** Tuesday, November 9, 3:00 p.m., Room 110, Farnum Building (373-3447)

**Technology and Energy -** Wednesday, November 10, 3:00 p.m., Room 210, Farnum Building (373-7350)

**Transportation -** Tuesday, November 9, 1:00 p.m., Room 110, Farnum Building (373-7708)

# BILLS IN CONFERENCE

		Confere	Report Agreed To		
Bill No.	Brief Title	Senate	House	Senate	House
SB 727	Children; parenting time; grandparent visitation; revise to place burden of proof on the petitioning grandparent and require the court to give deference to a fit parent's actions and decisions.	Sanborn Patterson Clark-Coleman	Howell Gaffney Lipsey		
SB 1105	Property tax; other; payments in lieu of taxes on certain state lands; revise payment and valuation procedures.	McManus Johnson Prusi	Walker Pumford Brown		
HB 4610	Gaming; horse racing; video lottery; allow at horse racetracks.	Sikkema Hammerstrom Emerson	Julian Meyer Minore		